



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Mondays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

5:30 p.m. session [Order of business]

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| <ul style="list-style-type: none"> • Invocation and Pledge of Allegiance • Presentations • Summary of Current Events • Liquor license applications • Consent Agenda | <ul style="list-style-type: none"> • Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing. • Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour. • Other Mayor and Council business as listed on the agenda for the meeting. |
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Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site. : www.tucsonaz.gov/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.tucsonaz.gov/agdocs. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Fred Ronstadt – Vice Mayor

Council Members

José J. Ibarra	Ward 1	Shirley C. Scott	Ward 4
Carol W. West	Ward 2	Steve Leal	Ward 5
Kathleen Dunbar	Ward 3	Fred Ronstadt	Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639, FAX: 791-4017 or WEB SITE: www.tucsonaz.gov/agdocs, 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:
Tuesdays – 9:00 p.m. Wednesdays – 9:00 a.m. Sundays – 9:00 a.m.
VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

**MONDAY, OCTOBER 11, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Joe Chan, Tucson Chinese Baptist Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- (a) Proclamation – Proclaiming October to be Disability Awareness Month
- (b) Proclamation – Proclaiming the week of October 11, 2004 to be Minority Enterprise Development Week

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT11-04-563 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager OCT11-04-564 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager OCT11-04-555 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

(1)	O.K. Corral 7710 E. Wrightstown Road Applicant: Raul C. Peralta City #062-04, Ward 2 Series #12 Action must be taken by: October 24, 2004	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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PUBLIC OPINION: PROTEST FILED

(2)	TRIDENT 2033 E. Speedway Blvd. #101 Applicant: Nelson A. Miller City #063-04, Ward 6 Series #12 Action must be taken by: October 24, 2004	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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PUBLIC OPINION: PROTEST FILED

(3)	CATALINA MART 7085 E. Broadway Blvd. Applicant: Robert D. Mahlstedt City #065-04, Ward 2 Series #10 Action must be taken by: October 23, 2004	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

Person/Location Transfer(s)

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| (4) | 58 DEGREES & HOLDING COMPANY
5340 E. Broadway Blvd.
Applicant: Ryan M. Schoff
City #061-04, Ward 6
Series #7
Action must be taken by: October 22, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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NOTE: For a person and location transfer, Mayor and Council may consider the applicant's capability, qualifications, reliability and location issues.

(c) Special Event(s)

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| (1) | TUCSON BLUES SOCIETY INC.
900 S. Randolph Way
Applicant: John W. Seeds
City #T085-04, Ward 6
Date of Event: 10/17/04
(Benefit for TBS & promote awareness of blues arts) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (2) | VIETNAM VETERANS OF AMERICA
TUCSON CHAPTER #106
900 S. Randolph Way
Applicant: Frank L. Thompson
City #T088-04, Ward 6
Date of Event: 10/24/04
(To honor Veterans who served in war(s)) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (3) | THE JUNIOR LEAGUE OF
TUCSON, INC.
3400 E. Camino Campestre
Applicant: Jill S. Malick
City #T089-04, Ward 6
Date of Event: 10/22/04
(Annual Fundraiser) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |
| (4) | ROADRUNNER CIVITAN CLUB
4823 S. 6th Avenue
Applicant: Suzanne J. Gross
City #T090-04, Ward 5
Date of Event: 10/16/04
10/17/04
(PRCA Rodeo) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Parks: In Compliance |

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| (5) METROPOLITAN TUCSON
CONVENTION & VISITORS BUREAU/
TUCSON FILM OFFICE
3233 E. Speedway Blvd.
Applicant: Peter A. Catalanotte
City #T093-04, Ward 6
Date of Event: 10/15/04
(Premiere of movie filmed in Tucson/Fundraiser for Tucson Cinema Foundation) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
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6. CONSENT AGENDA – ITEMS A THROUGH I

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a “retained speaker”. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

8. ZONING: (C9-03-01) WPI KOLB AND I-10 LLC – KOLB ROAD, RX-1 TO R-1, ORDINANCE ADOPTION

- (a) Report from City Manager OCT11-04-565 W4
- (b) Ordinance No. 10060 relating to zoning: amending zoning district boundaries in the area located on the south side of Voyager Road, between the Kolb and Pantano Road alignments in Case C9-03-01, WPI Kolb and I-10 LLC – Kolb Road, RX-1 to R-1 (Ward 4)

9. MAYOR AND COUNCIL: STATEMENTS OF INDIVIDUAL POSITION REGARDING PROPOSITIONS 102 AND 200

- (a) Report from City Manager OCT11-04-567 CITY-WIDE
- (b) Members of the Mayor and Council may make individual statements of position regarding these statewide propositions.

10. RECONSIDERATION OF ORDINANCES 10047, 10048, 10049, 10050, 10052, 10055, AND RESOLUTIONS 19947, 19948, AND 19949, ADOPTED OCTOBER 4, 2004, TO ENABLE AN EARLIER EFFECTIVE DATE

- (a) Report from City Manager OCT11-04-566 CITY-WIDE
- (b) Ordinance No. 10047 relating to Pensions, Retirement and Group Insurance; amending the Tucson Code, Chapter 22, Pensions, Retirement and Group Insurance, Article III, Tucson Supplemental Retirement System, Division 1, Types of Retirement and Benefits, Section 22-34 Membership; and declaring an emergency.
- (c) Ordinance No. 10048 relating to real property; authorizing and approving the lease of Suite 201 of 400 North Toole Avenue to Sage Cashmere, LTD., a New Mexico S-Corporation and portions of 410 North Toole Avenue to Francis Lemer, Kristin D'Oca, Mike D'Oca, Jerry Harkins, and Ruth Denholtz doing business as Saguaro Artisans; and declaring an emergency.
- (d) Ordinance No. 10049 relating to real property; authorizing the execution of a license and indemnification agreement for temporary use of certain real property in the vicinity of the southeast corner of Grosetta Avenue and Council Street from Compass Bank; and declaring an emergency.
- (e) Ordinance No. 10050 relating to real property; authorizing and approving the lease of certain city-owned real property located at North First Avenue and Navajo Road as a parking area for Boondocks Lounge; and declaring an emergency.
- (f) Ordinance No. 10052 relating to real property; vacating and declaring a portion of Pennington Street right-of-way to be surplus property, and authorizing the sale thereof to Pima County; and declaring an emergency.
- (g) Ordinance No. 10055 relating to real property; authorizing and approving the ratification of a Declaration of Access Easements and Restrictions for certain City owned real property in the vicinity of Speedway Boulevard and Alvernon Way; and declaring an emergency.

- (h) Resolution No. 19947 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S03-029 of a final plat for the Vista Montana Estates, Phase One Subdivision, Lots 1 to 215 and Common Areas “A”, and “C” – “E”; and declaring an emergency.
- (i) Resolution No. 19948 relating to real property; renaming the Trading Post Block between Scott Avenue, Stone Avenue, Congress Street and Broadway Boulevard as Kolbe Square; and declaring an emergency.
- (j) Resolution No. 19949 relating to real property; renaming the East Plaza of the Historic Depot located on Toole Avenue to Pastor Plaza; and declaring an emergency.

11. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager OCT11-04-554 CITY-WIDE

12. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, October 18, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.